



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"Enriching Lives"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

January 28, 2004

IN REPLY PLEASE

REFER TO FILE: **AS-0**

TO: Each Supervisor

FROM: James A. Noyes  
Director of Public Works

### **ELEMENTARY SCHOOL EDUCATION PROGRAM BOARD MOTION OF JANUARY 20, 2004, SYNOPSIS 40**

At the Board meeting of January 20, 2004, it was our recommendation to award a contract for an Elementary School Environmental Education Program to Rogers & Associates. Safe Moves, one of the other three proposers, protested the award of the contract, and your Board continued the item for two weeks to allow us to review their concerns and report back. Also, there was confusion as to whether or not the County had written service contract protest procedures.

A January 26, 2004, e-mail from the Interim Director of Internal Services Department to Board deputies, indicated that the Internal Services Department is currently working with Public Works and other County departments to develop a Countywide policy. However, Public Works has an established practice of handling service contract protests in which we first notify all firms whose proposals are not accepted, along with the anticipated date that our contract award recommendation will appear on the Board's agenda. This notification invites the vendor to contact us if they want additional information on our selection. If they call, we offer to meet for a debriefing on our evaluation of their proposal. From the debriefing, we will respond to their concerns in a timely manner. Our responses can range from a decision to resolicit or to move forward with our recommendation. However, those firms who are still not satisfied with our response have the right to present their issues before the Board for consideration, as was done by Safe Moves.

On December 23, 2003, we notified Safe Moves regarding our contractor selection for this Program. On January 14, 2004, we met with Ms. Pat Hines, Executive Director of Safe Moves, to discuss our evaluation of her firm's proposal. At the meeting, Ms. Hines outlined her issues which she reiterated in her January 15, 2004, letter to Supervisor Molina. Our response to Ms. Hines is reflected in the attached letter, which we have faxed and mailed to her. Our conclusion is that her concerns do not merit a change in our contract award recommendation.

Each Supervisor  
January 28, 2004  
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If you have any questions, please contact Donald L. Wolfe, Chief Deputy Director, at (626) 458-4002.

MH:dh

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Attach.

cc: Chief Administrative Office  
Executive Office



JAMES A. NOYES, Director

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January 28, 2004

IN REPLY PLEASE

REFER TO FILE: **PR-4**

Ms. Pat Hines  
Executive Director  
Safe Moves  
15500 Erwin Street, Unit 1121  
Van Nuys, CA 91411

Dear Ms. Hines:

### COUNTY OF LOS ANGELES ELEMENTARY SCHOOL ENVIRONMENTAL EDUCATION PROGRAM

We are writing in response to your appeal to the proposed award of the Elementary School Environmental Education Program made to the County of Los Angeles Board of Supervisors at their January 20, 2004, Board meeting. Your concerns with the process used by Public Works in making our recommendation of award to the Board were stated in your January 15, 2004, letter to Supervisor Molina and verbalized to the Board. You also inquired about the appeal process.

Currently, the process for appealing the proposed award of a service contract is for the proposer to contact us when notified of the results of the review process and ask for a debriefing. At that time, any concerns may be raised for our consideration. If issues of merit are raised by a proposer, we will reevaluate the proposals or take other appropriate measures to correct deficiencies.

Safe Moves did ask for and received a debriefing on January 14, 2004. We were made aware of your concerns through that debriefing and your January 15 letter. We considered the points you raised and determined that the evaluation was consistent with the content of the Request for Proposals (RFP) and with our policy and procedures. Therefore, we recommended to the Board that they award the contract to the highest rated proposer.

You have appealed our decision to the Board and they have asked us to review your concerns and report back to them. The following information is provided in response to each of the issues you raised.

On August 28, 2003, Public Works issued an RFP for educational outreach to the children in the County to effect waste reduction and pollution prevention in compliance with AB 939 and the National Pollutant Discharge Elimination System (NPDES) Permit mandates. The RFP specified a budget of \$1 million per year and indicated that proposals would be evaluated on the extent to which the "amount budgeted for each activity associated with this task gives good value relative to the probable result." The goal was to get creative and cost-effective proposals

Ms. Pat Hines  
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that would capitalize on the program's "brand recognition" while offering increased educational effectiveness or other improvements.

We received four proposals. The proposals were scored by a panel of five raters; three from our Public Relations Group, one from our Waterworks and Sewer Maintenance Division, and a curriculum specialist from the California Integrated Waste Management Board. Scores were consistent among raters.

The following are responses to issues raised in the second paragraph of your letter where you noted certain irregularities.

1. An obvious reluctance on the part of the Department of Public Works to show us the original proposal.

The letter notifying you that you would not be awarded the contract stated you had the right to meet with Public Works staff to discuss the evaluation. Subsequently, at the meeting on January 14, 2004, staff provided you a copy of the proposal submitted by Rogers & Associates which you requested.

2. A significantly longer in-person interview session allowed to Rogers & Associates.

All four proposers were given approximately 20 minutes for their presentation. All proposers were informed of the ground rules and reason for presentations. Safe Moves brought six people when the other proposers brought only three as specified in the ground rules.

3. Inordinately long waiting period (three months) between the oral presentations and the award.

Three months is a typical period of time between oral presentations and contract award, particularly when it falls during the holiday season and there are raters from outside the Department whose scores must be collected and tabulated.

4. Inconsistencies in the description by the Department of Public Works of the project at the bidding conference.

We are not aware of any inconsistencies and have not been asked for clarification of any specific issues from the bidder's conference.

Response to other issues raised in your letter:

- The third paragraph states that Public Works staff was skeptical of your answer about how you can reach so many students. Based on their experience providing a number of environmental education programs through a variety of contractors, staff felt that your answer did not provide enough information to demonstrate that the method of contacting schools would be successful. Schools have limited time for assembly programs. Teachers are busy meeting State standards and improving students' test scores. Competition for teachers' and students' time is fierce. Additionally, your proposal and

presentation made no mention of State teaching standards which are critical in getting teachers to use the program.

- Paragraph four states that “Ms. Montanez let it slip that Public Works had already decided on Rogers & Associates before the oral presentations were conducted.” According to Ms. Montanez, she did not state at any time that the Department had already decided. She stated that Rogers & Associates had the highest score going into the oral presentations and that the purpose of the presentations was for the vendors to expand on their proposals and allow the raters to ask questions. This information was also given at the bidder’s conference and at the oral presentations.
- The letter states that Safe Moves was not selected because they didn’t use the Environmental Defenders characters in their proposal. As stated in the RFP: “To continue to leverage the brand equity of the Program over the past years, Contractor shall use the Environmental Defenders animated characters....” Repetition and reinforcement are key to successful education. Safe Moves submitted new characters including a villain which was not in keeping with the theme of personal responsibility which is key to the program. All raters scored the negative villain very low. The Safe Moves proposal did not demonstrate an understanding of how continuing a successful message is more effective than delivering a new message. Being able to reach more children is not beneficial if the wrong message is delivered.
- There were letters of recommendation included in the proposal, many of which were eight to ten years old. The client references that were called as part of the scoring process were not as complimentary.
- The fifth paragraph refers to Public Works opinion that Rogers & Associates had “superior environmental experience and knowledge.” Ms. Montanez made that statement based on the fact that Rogers & Associates has delivered environmental education programs since 1997, while Safe Moves proposal lists only bicycle and pedestrian traffic safety programs (pp 3 – 6).
- Paragraph six states that the Rogers proposal does not mention EarthJam. EarthJam is discussed on pages 17 and 18 of the proposal submitted by Rogers & Associates.
- And finally paragraph seven discusses the budget. Again, our emphasis is on the quality of the educational experience rather than the quantity alone. Our mandates require that we demonstrate behavior change and reduce the amount of waste going to landfills. Once we have met the minimum quantity requirements of the NPDES permit, the quality of the educational experience and its ability to change the way children behave become the primary concern.

Overall, the lack of discussion about State teaching standards, not building on our existing program, lack of effective assessment tools, and a general sense that Safe Moves did not demonstrate an understanding of our program goals or the ability to achieve them are the reasons Safe Moves did not score as high as other proposers.

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We thank you for your interest in the Elementary School Environmental Education contract and hope that this letter has answered your questions. If you have any further questions, please contact Melinda Barrett, Head of our Environmental Education Program, at (626) 458-5975, Monday through Thursday, between the hours of 7:30 a.m. and 5 p.m.

Very truly yours,

JAMES A. NOYES  
Director of Public Works

DONALD L. WOLFE  
Chief Deputy Director

MB  
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cc: Supervisor Gloria Molina (Sutkin)  
Supervisor Yvonne Brathwaite Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich  
Chief Administrative Office  
Executive Office